

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

KELLY MASTERS,

Plaintiff,

Case No. 10-11546

v.

Hon. John Corbett O'Meara

CITY OF EASTPOINTE, *et al.*,

Defendants.

ORDER OF PARTIAL DISMISSAL

Plaintiff filed a complaint on April 16, 2010, alleging four causes of action: Count I, deprivation of civil rights in violation of 42 U.S.C. § 1983; Count II, conspiracy to violate § 1983; Count III, abuse of process/false arrest; and Count IV, malicious prosecution. Although Plaintiff's § 1983 claims are cognizable in this court pursuant to 28 U.S.C. § 1331, the remaining allegations present claims based on state law. This court declines to exercise supplemental jurisdiction over Plaintiff's state law claims. See 28 U.S.C. § 1367(c); United Mine Workers v. Gibbs, 383 U.S. 715 (1966); Padilla v. City of Saginaw, 867 F. Supp. 1309 (E.D. Mich. 1994).

Accordingly, IT IS HEREBY ORDERED that Counts III and IV of Plaintiff's complaint are DISMISSED.

s/John Corbett O'Meara
United States District Judge

Date: May 13, 2010

I hereby certify that a copy of the foregoing document was served upon the parties of record on this date, May 13, 2010, using the ECF system and/or ordinary mail.

s/William Barkholz

Case Manager